

UNITED STATES DISCTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELITE PERFORMANCE FUND LTD and
DISTRESSED / HIGH -YIELD TRADING
OPPORTUNITIES FUND,

Plaintiffs,

-against-

VITEOS FUND SERVICES LTD,

Defendant.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 5/20/08

Civil Action No.:
08CV2041 (PKC)

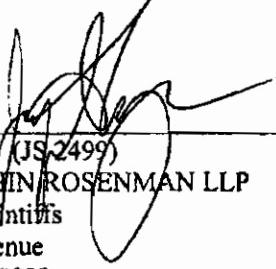
**STIPULATION OF
DISCONTINUANCE
WITH PREJUDICE**

IT IS HEREBY STIPULATED and agreed that the foregoing action is hereby discontinued with prejudice; and

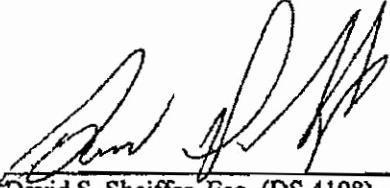
IT IS FURTHER STIPULATED that as the parties have entered into a confidential settlement agreement dated April 25, 2008 no party or their counsel shall disclose the terms of said agreement absent an order of this Court or another Court of competent jurisdiction; and

IT IS FURTHER STIPULATED that as no party to this action is an infant or incompetent each party shall bear their own attorneys fees and costs.

Dated: May 19, 2008
New York, New York

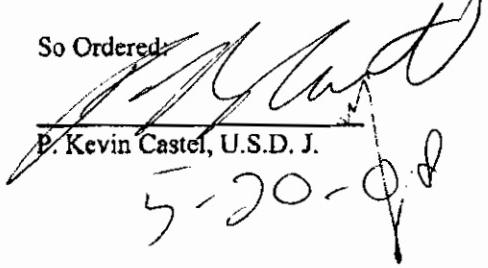


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So Ordered:



P. Kevin Castel, U.S.D.J.
